

REMARKS

This application contains claims 1, 3-14, 16-27, 29-38 and 40-66. Claims 1, 3-14, 16-27, 29-38 and 40-48 have been canceled without prejudice. New claims 49-66 are hereby added. No new matter has been introduced. Reconsideration is respectfully requested.

Applicant thanks Examiner Mew for the courtesy of a personal interview held with Applicant's representative, Daniel Kligler (Reg. No. 41,120) in the USPTO on May 22, 2006. At the interview, Dr. Kligler proposed a new draft claim 49 in order to clarify the distinction of the present invention over the cited art (Mauger et al. - U.S. Patent 6,886,043 and Chuah et al. - U.S. Patent 6,408,001). The Examiner agreed to conduct a further search for relevant art after submission of an amendment including the proposed claim. Applicant has amended the claims accordingly.

Claim 14 was objected to for a typographical error. This claim has been canceled.

Claims 1, 3-14, 16-27, 29-38 and 40-48 were rejected under 35 U.S.C. 103(a) over Mauger in view of Chuah (cited above), and with respect to some of the claims further in view of Kong et al. (U.S. Patent Application Publication 2002/0176450). While disagreeing with the grounds of rejection, Applicant has canceled all of the original claims and submits herewith new claims 49-66 in order to more clearly distinguish the present invention over the cited art.

New claim 49 incorporates the limitations of canceled independent method claims 1, 12 and 27. The new claim clarifies the separation of the step of creating tunnels from the steps involved in initiating and activating the bi-directional service between users via the tunnels. After the tunnels have been created

(without reference to the service that is to be carried through the tunnels), the service is set up by special signaling messages sent between the user nodes. The service setup proceeds efficiently in both directions, without any involvement by the routers along the tunnels. The steps in this process are shown clearly in Figs 2A and 2B of the present patent application.

The cited art neither teaches nor suggests the possibility of this sort of bi-directional service setup without involvement of any intermediate nodes. Mauger describes a communication network using a three-layer label stack in order to achieve end-to-end connection-oriented behavior with guaranteed quality of service (col. 2, lines 55-58). This label stack permits packets to be routed over label-switched paths in a virtual private network comprising a hierarchical arrangement of three levels of routers (col. 1, lines 60-65). In the VPN scenario shown by Mauger in Fig. 6, media gateway controllers (MGC) establish an end-to-end path through the network by explicitly invoking control functions on the label-switched routers (LSRs) along the path (col. 8, lines 20-23). Mauger's VPN service setup, in other words, is intimately connected with the routers along the tunnels between the media gateways at the ends of the path. This approach can be seen as teaching away from the method of claim 49, in which the service between the user nodes at the ends of the tunnels is set up independently of the LSRs along the tunnels.

Chuah describes a method for determining label assignments for a router, wherein all or a portion of the headers of packets in a switched packet flow may be removed from each packet that is assigned a label (abstract). Chuah is not concerned with the type of service setup that is recited in claim 49, and makes no

suggestion of separating tunnel creation from service initiation as required by the new claim.

Thus, new claim 49 as amended is believed to be patentable over the cited art.

New claims 50-57 depend from claim 49 and recite limitations that were contained in the original dependent claims (now canceled). In view of the patentability of independent claim 49, as explained above, dependent claims 50-57 are also believed to be patentable.

New claims 58-67 recite apparatus that operates on principles similar to the methods of claims 49-57. These new claims are therefore believed to be patentable for the reasons explained above with reference to the method claims.

Applicant believes the amendments and remarks stated above to be fully responsive to all of the objections and grounds of rejection raised by the Examiner. In view of these amendments and remarks, all the claims in the present patent application are believed to be in condition for allowance. Prompt notice to this effect is requested.

Authorization is given hereby to charge any deficiency or credit any overpayments to Deposit Account No. 01-1785. A copy of this document is enclosed.

Respectfully submitted,

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Dated: June 5, 2006
New York, New York

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